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*Attorneys for Defendant  
LSI Appraisal, LLC*

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

FELTON A. SPEARS, JR. and ,  
SIDNEY SCHOLL, on behalf of themselves  
and all others similarly situated,

Plaintiffs,

vs.

WASHINGTON MUTUAL, INC.,  
a Washington corporation;  
FIRST AMERICAN EAPPRAISEIT,  
a Delaware corporation; and  
LENDERS SERVICE, INC.,

Defendants.

) Case No. 5:08-cv-00868 (RMW)

) CLASS ACTION

) **STIPULATION AND [PROPOSED]  
ORDER RE: RESCHEDULING OF  
BRIEFING SCHEDULE AND  
HEARING DATE ON DEFENDANTS'  
MOTIONS TO DISMISS**

) **Honorable Ronald M. Whyte**

WHEREAS, on March 28, 2008, Plaintiffs filed their amended complaint; and Defendants were required to answer or otherwise respond on or before May 2, 2008;

WHEREAS, on May 2, 2008, Defendants filed their respective motions to dismiss, with hearing for the motions to dismiss set for July 15, 2008;

WHEREAS, Plaintiffs' opposition to Defendants' motions to dismiss was due on or before June 10, 2008;

WHEREAS, Defendants' reply brief to Plaintiffs' opposition to Defendants' motions to dismiss was due on or before July 1, 2008;

1 WHEREAS, on May 9, 2008, Defendants First American eAppraiseIT and Lenders Service,  
2 Inc. filed declinations to proceed before a Magistrate Judge and request for reassignment to a District  
3 Judge;

4 WHEREAS, on May 12, 2008, the instant case was reassigned to the Honorable Ronald M.  
5 Whyte,

6 WHEREAS, upon the reassignment to Judge Whyte, all dates previously set before the  
7 Magistrate Judge were vacated;

8 WHEREAS, on May 15, 2008, a clerk's notice was entered rescheduling the hearing date on  
9 the Defendants' motions to dismiss to July 25, 2008;

10 WHEREAS, counsel have conferred and due to the professional and personal schedules of  
11 counsel and the parties, counsel respectfully request that the briefing and hearing dates be  
12 rescheduled as follows:

- 13 (1) June 25, 2008 – Plaintiffs' opposition to Defendants' motions to dismiss due;  
14 (2) August 1, 2008 – Defendants' reply brief to Plaintiffs' opposition to Defendants'  
15 motions to dismiss due;  
16 (3) August 15, 2008 – Hearing on Defendants' motions to dismiss;

17 WHEREAS, counsel agree that rescheduling the briefing and hearing dates regarding  
18 Defendants' motions to dismiss would not be prejudicial to either party and would further promote  
19 judicial efficiency;

20 IT IS HEREBY STIPULATED by the parties, by and through their undersigned counsel, that  
21 the briefing and hearing dates will be rescheduled as follows:

- 22 (1) June 25, 2008 – Plaintiffs' opposition to Defendants' motions to dismiss due;  
23 (2) August 1, 2008 – Defendants' reply brief to Plaintiffs' opposition to Defendants'  
24 motions to dismiss due;  
25 (3) August 15, 2008 – Hearing on Defendants' motions to dismiss.

1 DATED: May 16, 2008

DEWEY & LEBOEUF LLP

2 By: /s/ Kris H. Man  
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*Attorneys for Defendant*  
*LSI Appraisal, LLC*

10 DATED: May 19, 2008

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*Attorneys for Defendant*  
*Washington Mutual Bank*

18 DATED: May 16, 2008

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*Attorneys for Defendant*  
*First American eAppraiseIT*

25 DATED: May 16, 2008

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*Attorneys for Plaintiffs*

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2  
3 DATED: \_\_\_\_\_

4 HONORABLE RONALD M. WHYTE